

# **EXHIBIT 3**

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

<b>IVAX CORPORATION <i>et al.</i>,</b>	:	
	:	
<b>Plaintiffs,</b>	:	
	:	
<b>v.</b>	:	<b>Case No. 1:02CV00593 (JR)</b>
	:	
<b>AZTEC PEROXIDES, LLC <i>et al.</i>,</b>	:	
	:	
<b>Defendants.</b>	:	
	:	

**ORDER**

Upon review of Class Plaintiffs’ Motion for Award of Attorneys’ Fees, Reimbursement of Expenses and Incentive Award to the Named Plaintiffs, it is hereby ordered:

Class Plaintiffs’ motion is GRANTED. The Court finds that the requested award of attorneys’ fees, amounting to (i) 25% plus accrued interest of the Degussa Settlement Fund, and (ii) 25% plus accrued interest of the Atofina Settlement Fund, to be fair and reasonable and that notice to potential members of the Settlement Class has been given in an adequate and sufficient manner complying in all respects with the requirements of Federal Rule of Civil Procedure 23(e). The notice properly informed Class members that the Degussa and Atofina Settlement Agreements provide that, after Court approval, the payment of attorneys’ fees and unreimbursed costs and expenses may be paid out of the Settlement Fund. No Settlement Class member objected to Class Counsel being paid such amounts out of the Settlement Fund. Moreover, neither Degussa nor Atofina have opposed Class Counsel’s request for attorneys’ fees. Accordingly, the Court awards Class Counsel attorneys’ fees in the amount of \$5,250,000 plus accrued interest.

The Court further awards Class Counsel \$942,776.50 in unreimbursed costs and expenses, and \$100,000 as in incentive award to the named plaintiff Ivax Corporation, and \$100,000 as an incentive award to the named plaintiff Polyvel, Inc. for their respective roles in bringing about the recovery on behalf of the Class. The notice properly informed Class members that these incentive awards and unreimbursed expenses may be paid out of the Settlement Fund and no Class member objected to Class Counsel being paid such amounts out of the Settlement Fund.

So ORDERED this \_24th\_ day of August, 2005.

\_\_\_\_\_/s/\_\_\_\_\_  
Judge James Robertson  
United States District Judge